



02/22/06

APR 17
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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10992091-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Clifford A. McCarthy et al.

Confirmation No.: 2627

Application No.: 09/493,753

Examiner: Kenneth Tang

Filing Date: January 28, 2000

Group Art Unit: 2195

Title: DYNAMIC MANAGEMENT OF COMPUTER WORKLOADS THROUGH SERVICE LEVEL OPTIMIZATION

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 1/20/06 rejecting the following claims 1, 2, 5-13, 16-20. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

1st Month
\$120

2nd Month
\$450

3rd Month
\$1020

4th Month
\$1590

- The extension fee has already been filed in this application

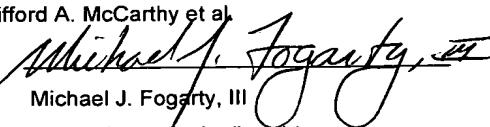
- (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Clifford A. McCarthy et al.

By


Michael J. Fogarty, III
Attorney/Agent for Applicant(s)

Reg No. : 42,541

Date : February 21, 2006

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I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV482726521US in an envelope addressed to: MS AF, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: February 21, 2006

Typed Name: Jan Cleveland

Signature: 

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